



Ninety-Eighth Legislature - First Session - 2003
Introducer's Statement of Intent
LB 144

Chairperson: Ed Schrock
Committee: Natural Resources
Date of Hearing: January 30, 2003

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

The purpose of LB 144 is to repeal the current permit program for scrap tire haulers, collectors, collection sites and processors, and to delete obsolete language in the Scrap Tire Reduction and Recycling Incentive Act and consolidates other provisions from that Act in the Waste Reduction and Recycling Incentive Act.

The bill would allow the Environmental Quality Council to adopt rules and regulations establishing the criteria exempting from permit requirements the placement of tires, posts or ferrous objects, not contaminated with other wastes, for agricultural uses, such as bumpers on agricultural equipment, for ballast to maintain covers or structures on the agricultural sites for fish habitat or for tire mats for bank stabilization as well as for blowout stabilization, which is allowed under current statutes.

It allows the storing of five hundred or fewer passenger tire equivalents, unless the storage of waste tires is longer than one year without reuse, recycling, or shipment out of state. Speculative accumulation of more than five hundred passenger tire equivalents is prohibited.

The bill provides that tires are not considered disposed of if they are (a) processed into crumb form and reused or recycled in manufactured products, (b) used as tire-derived fuel, (c) retreaded, (d) processed into chip or shred form and used as a drainage media in landfill construction or septic drain fields, or (e) processed into shred form and used as an alternative daily landfill cover.

Passenger tire equivalent is defined as twenty pounds of waste tire or processed waste tire. Nonrecyclable tires are defined as press-on solid tires, solid pneumatic shaped tires, and foam pneumatic tires. These nonrecyclable tires may be deposited in a landfill.

The director is authorized to disburse up to five hundred thousand dollars annually to the Roads Operation Cash Fund to be used to offset the cost of using crumb rubber in the construction of asphalt roads. Promotional activities can be funding workshops or other educational activities,

the purchase of equipment, and the award of grants to political subdivisions or other public or private entities.

LB 144 also allows the director to deny any application for a grant under the Waste Reduction and Recycling Incentive Fund if it is determined that the grant is not in conformance, does not reflect reasonable costs for the type of project proposed, contains inaccurate, incomplete, or misleading information in the application, or would require the expenditure of funds beyond the fund's unobligated balance, and for any other reason which the director determines is necessary to properly administer this program.

It requires that all grant disbursements be formalized by a written agreement designed to protect the fund and ensure completion of the project.

Principal Introducer:

Senator Ed Schrock